

JC17 Rec'd PCT/PTO 26 JUN 2001

IN THE UNITED STATES RECEIVING OFFICE

09/744881

Applicant : Markus Dillinger
Serial No. : 09/744,881
Filed : January 30, 2001
Title : METHOD AND DEVICE FOR ALLOCATING CHANNELS IN A
COMMUNICATION SYSTEM WITH CDMA SUBSCRIBER SEPARATION

BOX PCT

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Responsive to the Notification of Missing Requirements under 35 U.S.C. 371
mailed March 29, 2001, Applicant as a large entity submits herewith the following:

- ☒ Payment of the surcharge of \$130 for late filing of the declaration;
- ☒ A check in the total amount of \$260 is attached;
- ☒ A Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63;
- ☒ A verified English translation of the application and payment of the \$130 fee required under 37 CFR §1.17(k); and
- ☒ Petition for One-Month Extension of Time; a check in the amount of \$110 for the extension fee.

06/29/2001 MNGUYEN 00000039 09744881

01 FC:154
02 FC:156

130.00 OP
130.00 OP

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL694851487US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

Signature

Typed or Printed Name of Person Signing Certificate

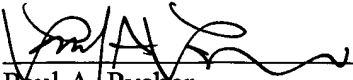
Applicant : Markus Dillinger
Serial No. : 09/744,881
Filed : January 30, 2001
Page : 2

Attorney's Docket No.: 12758-
003001 / 1998P02276WOUS

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: June 6, 2001


Paul A. Pysker
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|-------------------------------|-----------------------|------------------|
| U.S. APPLICATION NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 09/744881 | DILLINGER | M 12758-003001 |
| INTERNATIONAL APPLICATION NO. | | |

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APR 02 2001

FISH & RICHARDSON, P.C.
BOSTON OFFICE

PCT/DE99/02410

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| I.A. FILING DATE | PRIORITY DATE |
| 02 AUG 99 | 06 AUG 98 |

DATE MAILED: 29 MAR 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- | | |
|---|--|
| <input checked="" type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Indication of Small Entity Status. |
| <input checked="" type="checkbox"/> Copy of the international application. | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventor(s). | <input type="checkbox"/> Translation of Article 19 amendments into English. |
| <input type="checkbox"/> Copy of Article 19 amendments. | <input type="checkbox"/> Other: |
| <input checked="" type="checkbox"/> Priority Document. | |
| <input type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if available. | |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. | |

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| Submitted By Practice Systems | |
| Base Date: | 3-29-01 |
| Due Date: | 5-29-01 |
| Deadline: | 9-29-01 |
| English: | JMG |

2. ☒ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☒ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☒ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$_____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

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| U.S. APPLICATION NO. | ATTACHMENT TO FORM PCT/DO/EO/ |
| 09/744881 | 905 |

NOTICE OF DEFECTIVE TRANSLATION

The received translation is defective because:

- ☐ (1) The text in the drawings has not been properly translated;
- ☒ (2) The number of claims in the International Application and the number of claims in the translation are not the same; IA shows 14 claims. The translation shows 1 claim.
- ☐ (3) The translation of the International Application is incomplete as a number of pages are missing;
- ☐ (4) Other.

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| Docketed By Practice Systems |
| Action Code: Defective Transl. |
| Base Date: 3-29-01 |
| Due Date: 5-29-01 |
| Deadline: 9-29-01 |
| Initial: JMG |

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| Docketed by Mailing Section |
| Due Date: |
| Deadline: |
| Initial: |

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